

AUG 28 2007

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UNITED STATES PATENT AND TRADEMARK  
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&gt; REPLY BRIEF (35 page)

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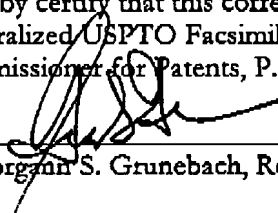
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\_\_\_\_\_  
Georgann S. Grunebach, Registration No. 33,179August 28, 2007  
Date

Customer No. 020991

Due Date: August 28, 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

Inventor: Robert G. Arsenault et al.

Serial No.: 09/677,691

Filed: October 2, 2000

Title: METHOD AND APPARATUS FOR  
PROVIDING NON-RESIDENT PROGRAM  
GUIDE INFORMATION TO A MEDIA  
SUBSCRIBER

Examiner: Annan Q. Shang

Group Art Unit: 2617

Appeal No.: \_\_\_\_\_

**REPLY BRIEF**

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR §1.192, Appellants hereby submit Appellants' Reply Brief with respect to the Appeal from the final rejection in the above-identified application, as set forth in the Office Action dated June 30, 2006.

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PD-200017

I. REAL PARTY IN INTEREST

The real party in interest is THE DIRECTV GROUP, INC., the assignee of the present application.

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## II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences for the above-referenced patent application.

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### III. STATUS OF CLAIMS

Claims 1-7, 9-15, 17-23, 25-31, 33-39, 41-47 and 49 are pending in the application.

Claims 1-7, 9-15, 17-23, 25-31, 33-39, 41-47 and 49 were rejected under 35 U.S.C. §103 as being obvious in view of U.S. Patent No. 6,401,242 to Eyer (hereinafter "Eyer"), and these rejections are being appealed.

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#### IV. STATUS OF AMENDMENTS

No amendments to the claims have been made subsequent to the final Office Action.

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## V. SUMMARY OF CLAIMED SUBJECT MATTER

The Applicants' invention is a system and method that provides program guide information to subscribers. In one embodiment, the method is applied to a satellite broadcasting system (600), as illustrated in FIG. 2 (reproduced below). The satellite broadcasting system (600) has a first satellite (602) broadcasting a first signal (650) having a first set of program material and first program guide information describing at least a portion of said set of program material, and a second satellite (604) broadcasting a second signal (652) having a second set of program material and second program guide information describing at least a portion of said second set of program material, wherein the first signal (650) and the second signal (652) each include service channels uniquely described by a service channel identifier.

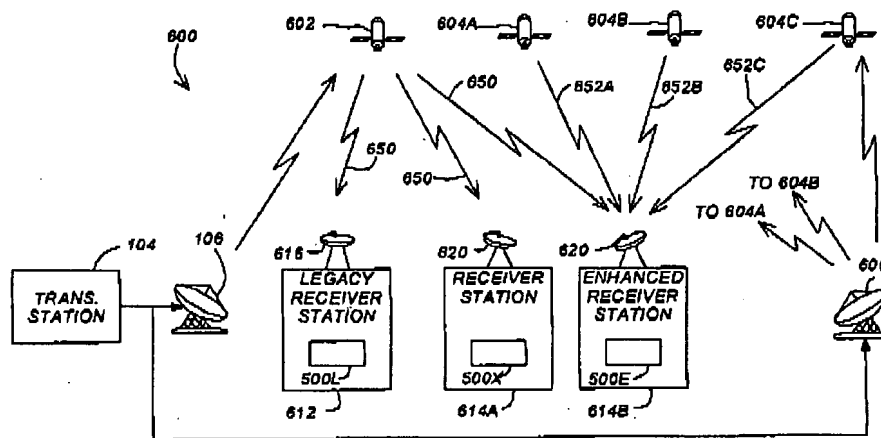


FIG. 6

**Claim 1:** In the broadcast system described above, one embodiment of the method comprises the steps of mapping at least a portion of the first program guide information to a first service channel of the first broadcast signal (block 902 of FIGs. 9A and 9B and page 24, lines 19-24), mapping at least a portion of the second program guide information to a second service channel of the first signal (block 904 of FIGs. 9A and 9B and page 24, lines 24-26), wherein the second

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service channel is logically offset from the first service channel (page 24, lines 26-30), and transmitting the first signal to the subscriber (page 23, lines 4-5 and block 906 of FIGs. 9A and 9B), wherein the second program guide information includes data identifying the service network transmitting the second program guide information (block 1002 of FIGs. 10A and 10B and page 27 lines 3-7) and wherein the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value (FIG. 10B and page 27, line 15- page 29, line 3).

Claim 9: In an analogous broadcasting system described above, another embodiment of the method comprises the steps of receiving the first signal (FIG. 10B, page 27, lines 15-17), and presenting the first program guide information and the second program guide information to a subscriber (block 1034 of FIG 10C, page 32, lines 1-4). The first signal includes a first service channel having at least a portion of the first program guide information (FIGs. 9A and 9B and page 24, lines 19-24); a second service channel having at least a portion of the second program guide information signal (block 904 of FIGs. 9A and 9B and page 24, lines 24-26); and the second service channel is logically offset from the first service channel (page 24, lines 26-30). Further, the second program guide information includes data identifying the service network transmitting the second program guide information (block 1002 of FIGs. 10A and 10B and page 27 lines 3-7) and the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value (FIG. 10B and page 27, line 15- page 29, line 3).

Claim 17: In an analogous broadcasting system described above, another embodiment of the invention is evidenced by an apparatus for providing at least a portion of the second program guide information to a receiver station receiving the first signal. The apparatus comprises a program guide subsystem (item 206 in FIG. 2, further disclosed in FIG. 3 and discussed in page 8, line 14 - page 10, line 2 of the specification) for mapping at least a portion of the first program guide information to a first service channel of the first broadcast signal, and mapping at least a portion of the second program guide information to a second service channel of the first broadcast signal,



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wherein the second service channel is logically offset from the first service channel (disclosed in the specification as described above); and a transmitter (block 222 of FIG. 2, discussed at page 10, line 17) for transmitting the first signal to the receiver station (block 110 of FIG. 1 and page 6, line 9 of the specification); wherein the second program guide information includes data identifying the service network transmitting the second program guide information and wherein the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value (see block 1002 of FIGs. 10A and 10B and page 27 lines 3-7; and FIG. 10B and page 27, line 15- page 29, line 3).

Claim 25: In an analogous broadcasting system described above, another embodiment of the invention is evidenced by an apparatus for obtaining at least a portion of the second program guide information via the first signal. The apparatus comprises a tuner (block 504 of FIG. 5 and page 11, line 8) for receiving the first signal (FIG. 10B, page 27, lines 15-17), and a presentation device (page 26, lines 5-6) for presenting the first program guide information and the second program guide information to a subscriber (block 1034 of FIG 10C, page 32, lines 1-4). The first signal includes a first service channel having at least a portion of the first program guide information (FIGs. 9A and 9B and page 24, lines 19-24); a second service channel having at least a portion of the second program guide information signal (block 904 of FIGs. 9A and 9B and page 24, lines 24-26); and the second service channel is logically offset from the first service channel (page 24, lines 26-30). Further, the second program guide information includes data identifying the service network transmitting the second program guide information (block 1002 of FIGs. 10A and 10B and page 27 lines 3-7) and the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value (FIG. 10B and page 27, line 15- page 29, line 3).

Claims 33 and 41: In an analogous broadcasting system described above, embodiments of the invention are also described by the structures, materials, or acts corresponding to the following:

Claim(s)	Structure(s), material(s), or act(s) corresponding to:	Found At
33	means for mapping at least a portion of the first	(item 206 in FIG. 2, further

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Claim(s)	Structure(s), material(s), or act(s) corresponding to:	Found At
	program guide information to a first service channel of the first broadcast signal	disclosed in FIG. 3 and discussed in page 8, line 14 - page 10, line 2 of the specification)
33	means for mapping at least a portion of the second program guide information to a second service channel of the first broadcast signal, wherein the second service channel is logically offset from the first service channel	(item 206 in FIG. 2, further disclosed in FIG. 3 and discussed in page 8, line 14 - page 10, line 2 of the specification)
33	means for mapping at least a portion of the second program guide information to a second service channel of the first broadcast signal, wherein the second service channel is logically offset from the first service channel	(item 206 in FIG. 2, further disclosed in FIG. 3 and discussed in page 8, line 14 - page 10, line 2 of the specification)
41	means for receiving the first signal, wherein the first signal includes:	(block 504 of FIG. 5 and page 11, line 8)
41	means for mapping at least a portion of the second program guide information to a second service channel of the first broadcast signal, wherein the second service channel is logically offset from the first service channel	(item 206 in FIG. 2, further disclosed in FIG. 3 and discussed in page 8, line 14 - page 10, line 2 of the specification)
42	wherein the second service channel is logically offset by an amount specified in the first program guide information	FIG. 7, and at page 24, line 28 through page 25, line 1.

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Claim 49: In an analogous broadcasting system described above, embodiments of the invention are also described by a signal embodied in a carrier wave, the signal produced by performing the method steps of mapping at least a portion of the first program guide information to a first service channel of the first broadcast signal (block 902 of FIGs. 9A and 9B and page 24, lines 19-24), mapping at least a portion of the second program guide information to a second service channel of the first signal (block 904 of FIGs. 9A and 9B and page 24, lines 24-26), wherein the second service channel is logically offset from the first service channel (page 24, lines 26-30), and transmitting the first signal (page 23, lines 4-5 and block 906 of FIGs. 9A and 9B), wherein the second program guide information includes data identifying the service network transmitting the second program guide information (block 1002 of FIGs. 10A and 10B and page 27 lines 3-7) and wherein the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value (FIG. 10B and page 27, line 15- page 29, line 3).

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VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1-7, 9-15, 17-23, 25-31, 33-39, 41-47 and 49 are patentable under 35 U.S.C. § 103(a) over Eyer.

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## VII. ARGUMENT

## A. Introductory Information

1. *The Applicants' System and Method*

Claim 1 recites:

In a broadcasting system having a first service network broadcasting a first signal having a first set of program material and first program guide information describing at least a portion of said first set of program material, and a second service network broadcasting a second signal having a second set of program material and second program guide information describing at least a portion of said second set of program material, wherein the first broadcast signal and the second broadcast signal each include service channels uniquely described by a service channel identifier, a method of providing at least a portion of the second program guide information to a receiving station receiving the first signal, comprising the steps of:

mapping at least a portion of the first program guide information to a first service channel of the first broadcast signal;

mapping at least a portion of the second program guide information to a second service channel of the first broadcast signal, wherein the second service channel is logically offset from the first service channel; and

transmitting the first signal to the receiving station;

wherein the second program guide information includes data identifying the service network transmitting the second program guide information and wherein the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value.

The preamble of claim 1 is best understood by reference to FIG. 6 below, wherein the first service network uses satellite 602 and the second satellite network uses satellite 604C

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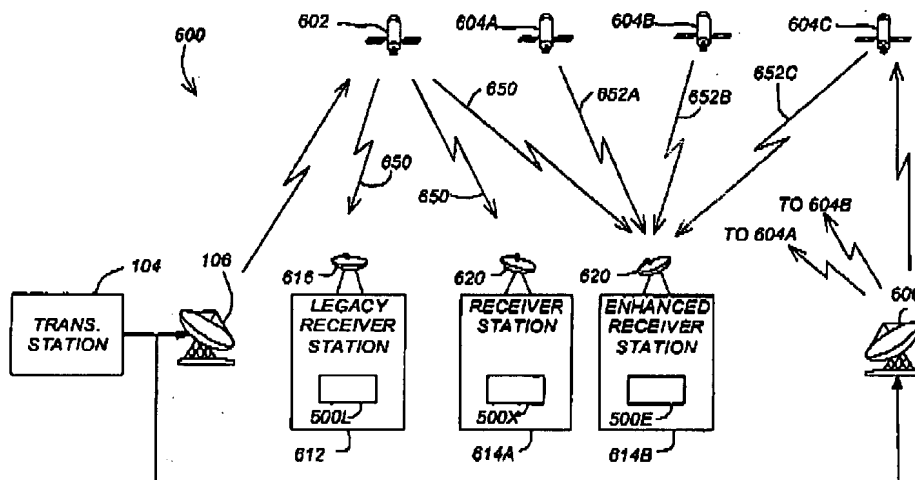


FIG. 6

The remainder of claim 1 can be understood with reference to FIG. 7 below:

	702	704	706	708	710
	Network 0 (Legacy)	Network 1 (Enhanced)	Network 2 (Enhanced)	Network 3 (Enhanced)	Network 4 (Enhanced)
712	1 Legacy MPD	1 Legacy MPD	1 Legacy MPD	1 Legacy MPD	1 Legacy MPD
714	2 GAP	2 GAP	2 GAP	2 GAP	2 GAP
716	3 Legacy MPD's DP	3 Legacy MPD's DP	3 Legacy MPD's DP	3 Legacy MPD's DP	3 Legacy MPD's DP
718	4 SPO	4 SPO	4 SPO	4 SPO	4 SPO
720	5	5	5	5	5
722	6	6	6	6	6
724	7	7	7	7	7
726	8 Tailored and Market MPD's DP	8	8 Tailored and Market MPD's DP	8 Tailored and Market MPD's DP	8 Tailored and Market MPD's DP
728	9 Tailored MPD	9	9 Unified MPD (Market 1 & 2)	9 Unified MPD (Market 1 & 2)	9 Unified MPD (Market 1 & 2)
730	10 video/ audio/ data	10 video/ audio/ data	10 video/ audio/ data	10 video/ audio/ data	10 video/ audio/ data
732	0x0000 BARUP/ announcements	0x0000	0x0000	0x0000	0x0000
734	0x0001 WINK	0x0001	0x0001	0x0001	0x0001
736	0x0002	0x0002	0x0002	0x0002	0x0002
738	0x0003	0x0003	0x0003	0x0003	0x0003
740	0x0004	0x0004	0x0004	0x0004	0x0004
742	0x0005	0x0005	0x0005	0x0005	0x0005
744	0x0006	0x0006	0x0006	0x0006	0x0006
746	0x0007	0x0007	0x0007	0x0007	0x0007
748	0x0008	0x0008	0x0008	0x0008	0x0008
750	0x0009	0x0009	0x0009	0x0009	0x0009
752	0x000A	0x000A	0x000A	0x000A	0x000A
754	0x000B	0x000B	0x000B	0x000B	0x000B
756	0x000C	0x000C	0x000C	0x000C	0x000C
758	0x000D	0x000D	0x000D	0x000D	0x000D
760	0x000E	0x000E	0x000E	0x000E	0x000E
762	0x000F	0x000F	0x000F	0x000F	0x000F
764	0x0010	0x0010	0x0010	0x0010	0x0010
766	0x0011	0x0011	0x0011	0x0011	0x0011
768	0x0012	0x0012	0x0012	0x0012	0x0012
770	0x0013	0x0013	0x0013	0x0013	0x0013
772	0x0014	0x0014	0x0014	0x0014	0x0014
774	0x0015	0x0015	0x0015	0x0015	0x0015
776	0x0016	0x0016	0x0016	0x0016	0x0016
778	0x0017	0x0017	0x0017	0x0017	0x0017
780	0x0018	0x0018	0x0018	0x0018	0x0018
782	0x0019	0x0019	0x0019	0x0019	0x0019
784	0x001A	0x001A	0x001A	0x001A	0x001A
786	0x001B	0x001B	0x001B	0x001B	0x001B
788	0x001C	0x001C	0x001C	0x001C	0x001C
790	0x001D	0x001D	0x001D	0x001D	0x001D
792	0x001E	0x001E	0x001E	0x001E	0x001E
794	0x001F	0x001F	0x001F	0x001F	0x001F
796	0x0020	0x0020	0x0020	0x0020	0x0020
798	0x0021	0x0021	0x0021	0x0021	0x0021
800	0x0022	0x0022	0x0022	0x0022	0x0022
802	0x0023	0x0023	0x0023	0x0023	0x0023
804	0x0024	0x0024	0x0024	0x0024	0x0024
806	0x0025	0x0025	0x0025	0x0025	0x0025
808	0x0026	0x0026	0x0026	0x0026	0x0026
810	0x0027	0x0027	0x0027	0x0027	0x0027
812	0x0028	0x0028	0x0028	0x0028	0x0028
814	0x0029	0x0029	0x0029	0x0029	0x0029
816	0x002A	0x002A	0x002A	0x002A	0x002A
818	0x002B	0x002B	0x002B	0x002B	0x002B
820	0x002C	0x002C	0x002C	0x002C	0x002C
822	0x002D	0x002D	0x002D	0x002D	0x002D
824	0x002E	0x002E	0x002E	0x002E	0x002E
826	0x002F	0x002F	0x002F	0x002F	0x002F
828	0x0030	0x0030	0x0030	0x0030	0x0030
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842	0x0037	0x0037	0x0037	0x0037	0x0037
844	0x0038	0x0038	0x0038	0x0038	0x0038
846	0x0039	0x0039	0x0039	0x0039	0x0039
848	0x003A	0x003A	0x003A	0x003A	0x003A
850	0x003B	0x003B	0x003B	0x003B	0x003B
852	0x003C	0x003C	0x003C	0x003C	0x003C
854	0x003D	0x003D	0x003D	0x003D	0x003D
856	0x003E	0x003E	0x003E	0x003E	0x003E
858	0x003F	0x003F	0x003F	0x003F	0x003F
860	0x0040	0x0040	0x0040	0x0040	0x0040
862	0x0041	0x0041	0x0041	0x0041	0x0041
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866	0x0043	0x0043	0x0043	0x0043	0x0043
868	0x0044	0x0044	0x0044	0x0044	0x0044
870	0x0045	0x0045	0x0045	0x0045	0x0045
872	0x0046	0x0046	0x0046	0x0046	0x0046
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876	0x0048	0x0048	0x0048	0x0048	0x0048
878	0x0049	0x0049	0x0049	0x0049	0x0049
880	0x004A	0x004A	0x004A	0x004A	0x004A
882	0x004B	0x004B	0x004B	0x004B	0x004B
884	0x004C	0x004C	0x004C	0x004C	0x004C
886	0x004D	0x004D	0x004D	0x004D	0x004D
888	0x004E	0x004E	0x004E	0x004E	0x004E
890	0x004F	0x004F	0x004F	0x004F	0x004F
892	0x0050	0x0050	0x0050	0x0050	0x0050
894	0x0051	0x0051	0x0051	0x0051	0x0051
896	0x0052	0x0052	0x0052	0x0052	0x0052
898	0x0053	0x0053	0x0053	0x0053	0x0053
900	0x0054	0x0054	0x0054	0x0054	0x0054
902	0x0055	0x0055	0x0055	0x0055	0x0055
904	0x0056	0x0056	0x0056	0x0056	0x0056
906	0x0057	0x0057	0x0057	0x0057	0x0057
908	0x0058	0x0058	0x0058	0x0058	0x0058
910	0x0059	0x0059	0x0059	0x0059	0x0059
912	0x005A	0x005A	0x005A	0x005A	0x005A
914	0x005B	0x005B	0x005B	0x005B	0x005B
916	0x005C	0x005C	0x005C	0x005C	0x005C
918	0x005D	0x005D	0x005D	0x005D	0x005D
920	0x005E	0x005E	0x005E	0x005E	0x005E
922	0x005F	0x005F	0x005F	0x005F	0x005F
924	0x0060	0x0060	0x0060	0x0060	0x0060
926	0x0061	0x0061	0x0061	0x0061	0x0061
928	0x0062	0x0062	0x0062	0x0062	0x0062
930	0x0063	0x0063	0x0063	0x0063	0x0063
932	0x0064	0x0064	0x0064	0x0064	0x0064
934	0x0065	0x0065	0x0065	0x0065	0x0065
936	0x0066	0x0066	0x0066	0x0066	0x0066
938	0x0067	0x0067	0x0067	0x0067	0x0067
940	0x0068	0x0068	0x0068	0x0068	0x0068
942	0x0069	0x0069	0x0069	0x0069	0x0069
944	0x006A	0x006A	0x006A	0x006A	0x006A
946	0x006B	0x006B	0x006B	0x006B	0x006B
948	0x006C	0x006C	0x006C	0x006C	0x006C
950	0x006D	0x006D	0x006D	0x006D	0x006D
952	0x006E	0x006E	0x006E	0x006E	0x006E
954	0x006F	0x006F	0x006F	0x006F	0x006F
956	0x0070	0x0070	0x0070	0x0070	0x0070
958	0x0071	0x0071	0x0071	0x0071	0x0071
960	0x0072	0x0072	0x0072	0x0072	0x0072
962	0x0073	0x0073	0x0073	0x0073	0x0073
964	0x0074	0x0074	0x0074	0x0074	0x0074
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992	0x0082	0x0082	0x0082	0x0082	0x0082
994	0x0083	0x0083	0x0083	0x0083	0x0083
996	0x0084	0x0084	0x0084	0x0084	0x0084
998	0x0085	0x0085	0x0085	0x0085	0x0085
1000	0x0086	0x0086	0x0086	0x0086	0x0086

FIG. 7

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For purpose of illustration, let:

- The “first service network” recited in claim 1 refer to network 0 (704) (e.g. the network that uses satellite 602);
- The “second service network” recited in claim 1 refer to network 3 (710) (e.g. the network that uses satellite 604C).
- The “service channels” that “each of the networks transmit information on” be service channels (702);
- The “first program guide information” recited in claim 1 be the Legacy MPG 712A; and
- The “second program guide information” recited in claim 1 be the Unified MPG (754).

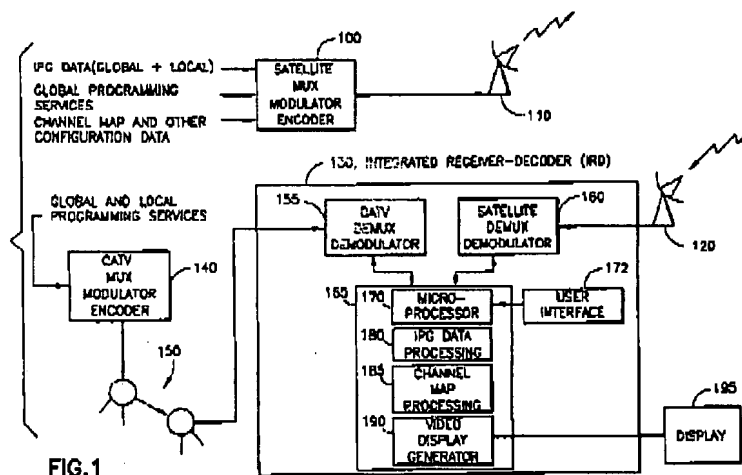
Note that at least a portion of the first program guide information is mapped to a first service channel (SCID 1 or 712) of the first broadcast signal, and that at least a portion of the second program guide information is mapped to a second service channel (0x505 or 722) of the first broadcast signal. In this system, program guides for different networks are transmitted on the first service network on different service channels.

## 2. *The Eyer Reference*

Now, let's turn to the Eyer reference. Eyer describes a system for merging program guides between a satellite system and a cable system (see FIG. 1 below).

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Eyer transmits configuration data to an IPG translator. As shown in FIG. 2, that configuration data includes a source channel map (which includes the source ID, source name, source affiliation) and a regional map (which includes the region ID, region name, and a list of source IDs).

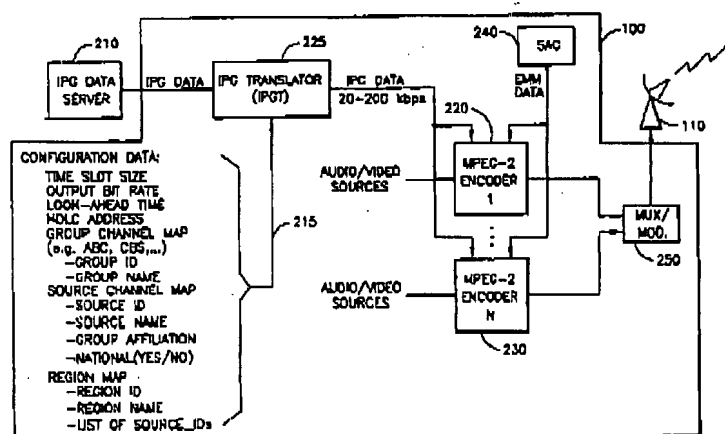


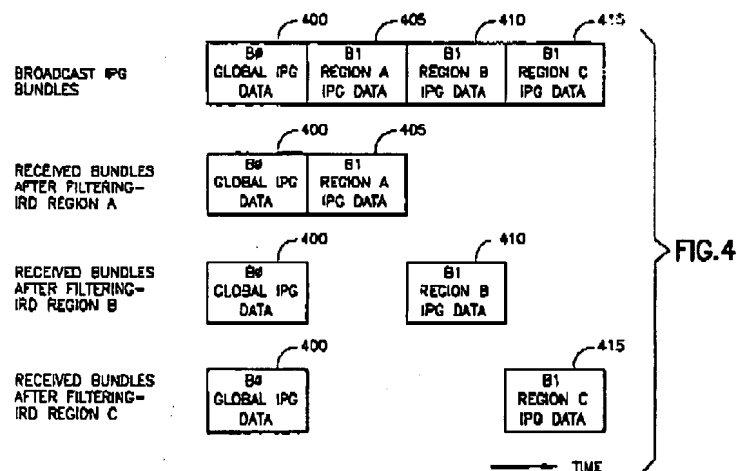
FIG. 2



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That information is compiled and transmitted to the receivers in bundles, as shown in FIG. 4, below.



Packets of IPG data are output by the receiver's packet stream demultiplexer and send to an IPG filter 335 which discards region specific IP data for regions other than the IPG region to which the receiver is assigned (col. 8, lines 47-56). Importantly, Eyer does not disclose transmitting IPG data on more than one channel. The IPG data is transmitted on one channel, and accepted or discarded based upon the region. Importantly, Eyer does not disclose transmitting the IPG information for different regions on separate channels.

B. Claims 1, 9, 17, 25, 33, 41, and 16 are Patentable Over the Eyer Reference

With this introduction, we now address the Examiner's Answer. The Examiner's Answer indicates:

"Eyer further discloses an IPG Translator (IPG Trans) 225, which receives National or Global-IPG data "first program guide information" and Regional or Local-IPG data "second program guide information" and uses channel grouping criteria, such as common

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source, filed of interest, etc., (col. 6, lines 6-22 and col. 15, line 54 - col. 16 line 3) to form a Bundles "portion" of Global-IPG data and "portion" of Local-IPG data and maps portion of the Global-IPG and Local-IPG to service channels "first service channel" (col. 17, line 49 - col. 18, line 11) of transport stream "first broadcast signal" (fig. 4, col. 10, lines 10-31, Bundles 400-415 and col. 12, line 31 - col. 13 line 1+) and transmits the broadcast signal to the IRDs 130 "receiving station," that allows the IRDs 130 to recover only IPG-data for its region (col. 5, lines 44-67 and col. 8, lines 6-63)

Much of the foregoing is true, but it is incorrect to the extent that it suggests that Eyer discloses "mapping at least a portion of the second program guide information to a second service channel of the first broadcast signal, wherein the second service channel is logically offset from the first service channel." The cited portion of Eyer discloses transmitting all of the program guide information on a single channel and relying on the IRD to distinguish between the two using the region ID. It does not teach transmitting the information on a second service channel logically offset from the first:

FIG. 4 illustrates the transmission and reception of global and regional IPG data in accordance with the present invention. IPG data bundles which are broadcast, e.g., over a satellite network to a user's home, include global IPG data in a bundle 0, or B0 (400), described below in greater detail, as well as IPG data for a specific IPG region, e.g., region A, in an associated bundle 1 or B1 (405), IPG data for a region B in an associated bundle B1 (410), and IPG data for a region C in an associated bundle B1 (415). Regions A, B and C are different IPG regions which are served by a common satellite broadcast network.

Each IRD receives the same global and region-specific IPG data bundles. However, in accordance with the present invention, IRD data bundles are filtered out in hardware based on multicast addresses so a specific IRD only needs to store and process IPG data for its region, along with the global IPG data. For example, the received bundles after filtering for an IRD in region A include only B0 (400) and B1 (405), the received bundles after filtering for an IRD in region B include only B0 (400) and B1 (410), and the received bundles after filtering for an IRD in region C include only B0 (400) and B1 (415).

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and  
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lots,  
title  
ds.

Five types of data blocks are defined, namely, schedule listings, descriptions, common listings, common descriptions, and foundation data. The FIG prelinked record structure format of Tables 1 and 2 represents a preferred embodiment of the present invention.

TABLE 1

	Bits	Octets	Bit Number/Description
FIG_data_block()			
block_ID	4	1	uint8f range 0-15
block_type	4		uint8f { }
block_version	8	1	uint8f range 1-255
if (block_type == foundation) {			
number_of_derived_FIDs	5	(3)	uint8f { }
number_of_trickle_FIDs	2		uint8f { }
demand_block_size_lookahead	5		uint8f range 1-31 days
common_block_size_slot_size	4		uint8f { }
trickle_block_size_slot_size	4		uint8f { }
demand_block_size_slot_size	4		uint8f { }
} else {			
data	16	(2)	uint8f GPS days
time	8	(1)	uint8f hours since 12 am
}			
reserved	8	1	uint8f
database_version	8	1	uint8f range 1-255
block_length	24	3	uint8f
for (i=0; i<L; i++) {			
is_a_group	1	(1)	uint8f {no, yes}
reserved	7		uint8f
offset_to_next_group_or_source	24	(3)	uint8f
if (is_a_group) {			
reserved	8	(1)	uint8f
group_ID	8	(1)	uint8f
} else {			
source_ID	16	(2)	uint8f
}			
for (i=0; i<M; i++) {			
offset_to_next_record_type	24	(3)	uint8f
record_type_ID	8	(1)	uint8f

TABLE 1-continued

	Bits	Octets	Bit Number/Description
for (i=0; i<P; i++) {			
long_record	1		uint8f {no, yes}
if (long_record) {			
record_length	15	((1/2))	uint8f (L)
} else {			
record_length	7	((1/1))	uint8f (L)
}			
record_body()	N*L	((1/1))	
}			
word_alignment	0-8	((0-1))	uint8f
word_alignment	0-8	((0-1))	uint8f

Finally, the Examiner's Answer acknowledges that Eyer does not teach that the second guide information includes data identifying the service network transmitting the second guide information.

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However, the Examiner's Answer argues that since Eyer teaches the use of a Region ID and name, it would have been obvious to one of ordinary skill in the art to

"modify system to provide data identifying a service network transmitting the second program guide to enable the head end system or the receiving station to identify and manage the EPGs that are received from the various EPG sources or service network as desired"

The Applicants respectfully disagree. Eyer describes a system wherein the IRD receives the guide information filters out the information that is not pertinent for that receiver, and it doing so, it already manages program guide information to the extent required. Even if hindsight reconstruction were used to suggest the possibility of this modification, one of ordinary skill in the art would not do so because it would provide no further functional capability at the cost of increasing transmission requirements.

Claims 9, 17, 25, 33, 41, and 16 each recite claims similar to those of claim 1 and are patentable for the same reasons.

C. Claims 2, 10, 18, 26, 33, and 42 are Patentable Over the Eyer Reference

The Examiner's Answer Does not Address the Rejection of Claims 2, 10, 18, 26, 33, and 42. These claims are patentable for the reasons described in the Applicants' Appeal Brief.

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## VIII. CONCLUSION

In light of the above arguments, Appellant respectfully submit that the cited references do not anticipate nor render obvious the claimed invention. More specifically, Appellant's claims recite novel physical features which patentably distinguish over any and all references under 35 U.S.C. § 103. As a result, a decision by the Board of Patent Appeals and Interferences reversing the Examiner and directing allowance of the pending claims in the subject application is respectfully solicited.

Respectfully submitted,

Date: August 28, 2007

By: 

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**CLAIMS APPENDIX**

1. (PREVIOUSLY PRESENTED) In a broadcasting system having a first service network broadcasting a first signal having a first set of program material and first program guide information describing at least a portion of said first set of program material, and a second service network broadcasting a second signal having a second set of program material and second program guide information describing at least a portion of said second set of program material, wherein the first broadcast signal and the second broadcast signal each include service channels uniquely described by a service channel identifier, a method of providing at least a portion of the second program guide information to a receiving station receiving the first signal, comprising the steps of:

mapping at least a portion of the first program guide information to a first service channel of the first broadcast signal;

mapping at least a portion of the second program guide information to a second service channel of the first broadcast signal, wherein the second service channel is logically offset from the first service channel; and

transmitting the first signal to the receiving station;

wherein the second program guide information includes data identifying the service network transmitting the second program guide information and wherein the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value.

2. (ORIGINAL) The method of Claim 1, wherein the second service channel is logically offset by an amount specified in the first program guide information.

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3. (ORIGINAL) The method of Claim 1, wherein the portion of the second program guide information is transmitted at a different rate than the first program guide information.

4. (ORIGINAL) The method of Claim 1, wherein the first program guide information describes program material to be broadcast during a first time period, and the second program guide information describes program material to be broadcast during a second time period.

5. (ORIGINAL) The method of Claim 4, wherein the second time period is of different length than the first time period.

6. (ORIGINAL) The method of Claim 1, further comprising the steps of:  
receiving the first signal; and  
storing the first program guide information and the second program guide information for subsequent retrieval.

7. (ORIGINAL) The method of Claim 6, further comprising the steps of:  
merging the first program guide information and the second program guide information to produce a merged program guide; and  
retrieving the merged program guide in response to a subscriber request.

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9. (PREVIOUSLY PRESENTED) In a broadcasting system having a first service network broadcasting a first signal having a first set of program material and first program guide information describing at least a portion of said first set of program material, and a second service network broadcasting a second signal having a second set of program material and second program guide information describing at least a portion of said second set of program material, wherein the first broadcast signal and the second broadcast signal each include service channels uniquely described by a service channel identifier, a method of obtaining at least a portion of the second program guide information via the first signal, comprising the steps of:

receiving the first signal, wherein the first signal includes:

a first service channel having at least a portion of the first program guide information;

a second service channel having at least a portion of the second program guide information;

wherein the second service channel is logically offset from the first service channel;

and

presenting the first program guide information and the second program guide information to a subscriber;

wherein the second program guide information includes data identifying the service network transmitting the second program guide information and wherein the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value.



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10. (ORIGINAL) The method of Claim 9, wherein the second service channel is logically offset by an amount specified in the first program guide information.
11. (ORIGINAL) The method of Claim 9, wherein the portion of the second program guide information is received at a different rate than the first program guide information.
12. (ORIGINAL) The method of Claim 9, wherein the first program guide information describes program material to be broadcast during a first time period, and the second program guide information describes program material to be broadcast during a second time period.
13. (ORIGINAL) The method of Claim 12, wherein the second time period is of different length than the first time period.
14. (ORIGINAL) The method of Claim 9, further comprising the steps of:  
storing the first program guide information and the second program guide information for subsequent retrieval.
15. (ORIGINAL) The method of Claim 14, further comprising the steps of:  
merging the first program guide information and the second program guide information to produce a merged program guide; and  
retrieving the merged program guide in response to a subscriber request.

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16. (CANCELED)

17. (PREVIOUSLY PRESENTED) In a broadcasting system having a first service network broadcasting a first signal having a first set of program material and first program guide information describing at least a portion of said first set of program material, and a second service network broadcasting a second signal having a second set of program material and second program guide information describing at least a portion of said second set of program material, wherein the first broadcast signal and the second broadcast signal each include service channels uniquely described by a service channel identifier, an apparatus of providing at least a portion of the second program guide information to a receiver station receiving the first signal, comprising:

a program guide subsystem for mapping at least a portion of the first program guide information to a first service channel of the first broadcast signal, and mapping at least a portion of the second program guide information to a second service channel of the first broadcast signal, wherein the second service channel is logically offset from the first service channel; and

a transmitter for transmitting the first signal to the receiver station;

wherein the second program guide information includes data identifying the service network transmitting the second program guide information and wherein the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value.

18. (ORIGINAL) The apparatus of Claim 17, wherein the second service channel is logically offset by an amount specified in the first program guide information.

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19. (ORIGINAL) The apparatus of Claim 17, wherein the portion of the second program guide information is transmitted at a different rate than the first program guide information.

20. (ORIGINAL) The apparatus of Claim 17, wherein the first program guide information describes program material to be broadcast during a first time period, and the second program guide information describes program material to be broadcast during a second time period.

21. (ORIGINAL) The apparatus of Claim 20, wherein the second time period is of different length than the first time period.

22. (ORIGINAL) The apparatus of Claim 17, further comprising:  
a tuner for receiving the first signal; and  
a memory for storing the first program guide information and the second program guide information for subsequent retrieval.

23. (ORIGINAL) The apparatus of Claim 22, wherein the program guide subsystem further comprises:

a module for merging the first program guide information and the second program guide information to produce a merged program guide, and for retrieving the merged program guide in response to a subscriber request.

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24. (CANCELED)

25. (PREVIOUSLY PRESENTED) In a broadcasting system having a first service network broadcasting a first signal having a first set of program material and first program guide information describing at least a portion of said first set of program material, and a second service network broadcasting a second signal having a second set of program material and second program guide information describing at least a portion of said second set of program material, wherein the first broadcast signal and the second broadcast signal each include service channels uniquely described by a service channel identifier, an apparatus for obtaining at least a portion of the second program guide information via the first signal, comprising the steps:

a tuner for receiving the first signal, wherein the first signal includes:

a first service channel having at least a portion of the first program guide information;

a second service channel having at least a portion of the second program guide information;

wherein the second service channel is logically offset from the first service channel;

and

a presentation device for providing the first program guide information and the second program guide information to a subscriber;

wherein the second program guide information includes data identifying the service network transmitting the second program guide information and wherein the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value.

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26. (ORIGINAL) The apparatus of Claim 25, wherein the second service channel is logically offset by an amount specified in the first program guide information.

27. (ORIGINAL) The apparatus of Claim 25, wherein the portion of the second program guide information is received at a different rate than the first program guide information.

28. (ORIGINAL) The apparatus of Claim 25, wherein the first program guide information describes program material to be broadcast during a first time period, and the second program guide information describes program material to be broadcast during a second time period.

29. (ORIGINAL) The apparatus of Claim 28, wherein the second time period is of different length than the first time period.

30. (ORIGINAL) The apparatus of Claim 25, further comprising:  
a memory for storing the first program guide information and the second program guide information for subsequent retrieval.

31. (ORIGINAL) The apparatus of Claim 30, further comprising:  
a module for merging the first program guide information and the second program guide information to produce a merged program guide and for retrieving the merged program guide in response to a subscriber request.

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32. (CANCELED)

33. (PREVIOUSLY PRESENTED) In a broadcasting system having a first service network broadcasting a first signal having a first set of program material and first program guide information describing at least a portion of said first set of program material, and a second service network broadcasting a second signal having a second set of program material and second program guide information describing at least a portion of said second set of program material, wherein the first broadcast signal and the second broadcast signal each include service channels uniquely described by a service channel identifier, an apparatus for providing at least a portion of the second program guide information to a receiver station receiving the first signal, comprising:

means for mapping at least a portion of the first program guide information to a first service channel of the first broadcast signal;

means for mapping at least a portion of the second program guide information to a second service channel of the first broadcast signal, wherein the second service channel is logically offset from the first service channel; and

means for transmitting the first signal to the receiver station;

wherein the second program guide information includes data identifying the service network transmitting the second program guide information and wherein the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value.

34. (ORIGINAL) The apparatus of Claim 33, wherein the second service channel is logically offset by an amount specified in the first program guide information.

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35. (ORIGINAL) The apparatus of Claim 33, wherein the portion of the second program guide information is transmitted at a different rate than the first program guide information.

36. (ORIGINAL) The apparatus of Claim 33, wherein the first program guide information describes program material to be broadcast during a first time period, and the second program guide information describes program material to be broadcast during a second time period.

37. (ORIGINAL) The apparatus of Claim 36, wherein the second time period is of different length than the first time period.

38. (ORIGINAL) The apparatus of Claim 33, further comprising:  
means for receiving the first signal; and  
means for storing the first program guide information and the second program guide information for subsequent retrieval.

39. (ORIGINAL) The apparatus of Claim 38, further comprising:  
means for merging the first program guide information and the second program guide information to produce a merged program guide; and  
means for retrieving the merged program guide in response to a subscriber request.

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41. (PREVIOUSLY PRESENTED) In a broadcasting system having a first service network broadcasting a first signal having a first set of program material and first program guide information describing at least a portion of said first set of program material, and a second service network broadcasting a second signal having a second set of program material and second program guide information describing at least a portion of said second set of program material, wherein the first broadcast signal and the second broadcast signal each include service channels uniquely described by a service channel identifier, an apparatus for obtaining at least a portion of the second program guide information via the first signal, comprising:

means for receiving the first signal, wherein the first signal includes:

a first service channel having at least a portion of the first program guide information;

a second service channel having at least a portion of the second program guide information;

wherein the second service channel is logically offset from the first service channel; and

means for presenting the first program guide information and the second program guide information to a subscriber;

wherein the second program guide information includes data identifying the service network transmitting the second program guide information and wherein the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value.



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42. (ORIGINAL) The apparatus of Claim 41, wherein the second service channel is logically offset by an amount specified in the first program guide information.

43. (ORIGINAL) The apparatus of Claim 41, wherein the portion of the second program guide information is received at a different rate than the first program guide information.

44. (ORIGINAL) The apparatus of Claim 41, wherein the first program guide information describes program material to be broadcast during a first time period, and the second program guide information describes program material to be broadcast during a second time period.

45. (ORIGINAL) The apparatus of Claim 44, wherein the second time period is of different length than the first time period.

46. (ORIGINAL) The apparatus of Claim 41, further comprising:  
means for storing the first program guide information and the second program guide information for subsequent retrieval.

47. (ORIGINAL) The apparatus of Claim 46, further comprising:  
means for merging the first program guide information and the second program guide information to produce a merged program guide; and  
means for retrieving the merged program guide in response to a subscriber request.

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48. (CANCELED)

49. (PREVIOUSLY PRESENTED) In a broadcasting system having a first service network broadcasting a first signal having a first set of program material and first program guide information describing at least a portion of said first set of program material, and a second service network broadcasting a second signal having a second set of program material and second program guide information describing at least a portion of said second set of program material, wherein the first broadcast signal and the second broadcast signal each include service channels uniquely described by a service channel identifier, a signal embodied in a carrier wave, the signal produced by performing the method steps of:

mapping at least a portion of the first program guide information to a first service channel of the first broadcast signal;

mapping at least a portion of the second program guide information to a second service channel of the first broadcast signal, wherein the second service channel is logically offset from the first service channel; and

transmitting the first signal;

wherein the second program guide information includes data identifying the service network transmitting the second program guide information and wherein the first program guide information and the second program guide information is merged according to a comparison between the data and a receiver station configuration value.

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**EVIDENCE APPENDIX**

(none)

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**RELATED APPEALS AND INTERFERENCES APPENDIX**

(none)